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RESPONSE UNDER #10  
37 C.F.R. § 1.116 m.m.  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1616 2/303

PATENT  
0147-0220P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Herbert SCHLACHTER Conf.: 5756  
Appl. No.: 09/743,577 Group: 1616  
Filed: March 12, 2001 Examiner: Gollamudi, S.  
For: SKIN AND TISSUE CARE AND/OR TREATMENT  
PREPARATION

**RECEIVED**

MAR 13 2003

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, DC 20231

March 10, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated September 9, 2002 of the Primary Examiner finally rejecting claims 1-14 and 17-39.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$465.00 is required for the full period of the above-requested extension of time.

☐ An extension of \_\_\_\_\_ ( ) month(s) for responding to the Final Rejection was previously requested and paid for on \_\_\_\_\_. Thus a fee of \$0.00 is required to obtain an additional \_\_\_\_\_ ( ) month(s) for filing the Notice of Appeal.

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☐ Large entity - \$320.00

☒ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$625.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Checks in the amount of \$465.00 and \$160.00 are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Andrew D. Meikle, #32,868

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ADM/TBS/crt  
0147-0220P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000